3614

BILL NO. Z-77-05-08 (as amended)

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-13.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a ~~B-1-A~~ R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-13, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots #21, 22, 23, 24, 25 and 26 in
Highland Park Forest Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM AND LEGALITY
[signature]
CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt; seconded by

Hinga and duly adopted, read the second time by title and referred to the

Committee on Regulations ~~(and the City Plan Commission for~~ and the City Plan Commission for

~~recommendation)~~ recommendation) ~~and Public Hearing to be held after due legal notice, at the Council Chambers,~~

~~City-County Building, Fort Wayne, Indiana, on ______, the ______ day~~

~~of ______, 19__ at ______ o'clock ______ M.,E.S.T.~~

DATE: 5-10-77 Charlotte W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmidt,

seconded by Hinga, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	0	9			
BURNS		X			
HINGA		X			
HUNTER		X			
MOSES		X			
NUCKOLS		X			
SCHMIDT, D.		X			
SCHMIDT, V.		X			
STIER		X			
TALARICO		X			

DATE: 10-25-77 Charlotte W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. ______ on the ______ day of ______, 19__.

ATTEST: (SEAL)

______
CITY CLERK

______
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the ______

day of ______, 19__, at the hour of ______ o'clock ______ M.,E.S.T.

______
CITY CLERK

Approved and signed by me this ______ day of ______, 19__

at the hour of ______ o'clock ______ M.,E.S.T.

______
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 10, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-05-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 20, 1977.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 27, 1977.

Certified and signed this
24th day of August, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

Bill No. Z-77-05-08 (AS AMENDED)

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance Amending the City of Fort Wayne Zoning Map No. B-13

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN	Vivian G. Schmidt
WINFIELD C. MOSES, JR. - VICE CHAIRMAN	Winfield Moses Jr.
WILLIAM T. HINGA	William T. Hinga
DONALD SCHMIDT	D Schmidt
SAMUEL J. TALARICO	Samuel J. Talarico

CONCURRED IN

DATE 10-25-77 CHARLES W. WESTERMAN, CITY CLERK

~~Hold until Aug. 23~~ ~~Call Gary Baxter~~ Return to City Plan -

Bill No. Z-77-05-08 (AS AMENDED)

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

Amending the City of Fort Wayne Zoning Map No. B-13

THE CITY PLAN COMMISSION HEREBY RECOMMENDS THAT THE ORDINANCE BE "PERFECTED TO AN "R3" DISTRICT AND GIVEN A DO NOT PASS -- this will prevent the petitioners from refiling under a new petition for an "R3" District.

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do not PASS (as amended)

VIVIAN G. SCHMIDT - CHAIRMAN	Vivian G. Schmidt
WINFIELD C. MOSES, JR. - VICE CHAIRMAN	W. C. Moses Jr.
WILLIAM T. HINGA	William T. Hinga
DONALD SCHMIDT	D. Schmidt
SAMUEL J. TALARICO	

BUSINESS FORM—PRODUCT OF WILSON JONES
GrayLine

RECEIPT Date April 27 1977 No. 6961

Received From Budde Realty Corp

Address

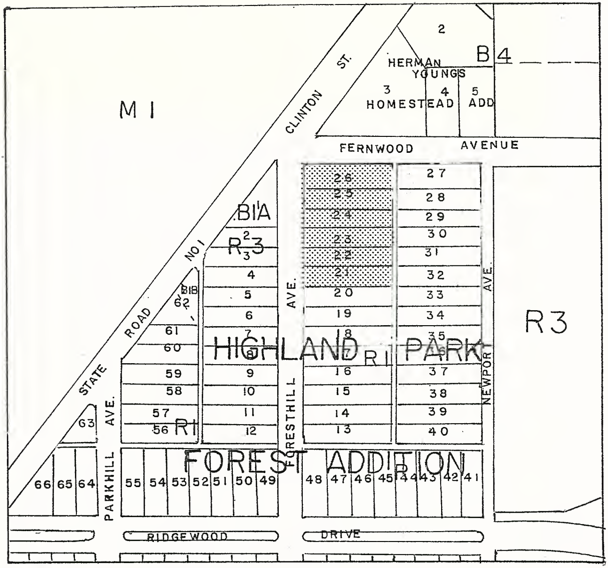
Fifty dollars Dollars $50.00

For Rezoning - Highland Park Forest Add'n

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	—	CASH		
AMT. PAID	50	—	CHECK	#1470	
BALANCE DUE			MONEY ORDER		

CITY PLAN COMMISSION
CITY-COUNTY BUILDING
FORT WAYNE, INDIANA 46802

By [signature]



TO BE REZONED FROM R1. TO BIA

3-77-05-08

MAP B 13

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. ____________

TO: COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

Date Filed ____________

Intended Use ____________

I/We Budde Realty Corp'n Jeanette Sheehan Sect. Treas / Phillip Burd / S.M. Margaret Caldwell
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R1 district to a/an B1A district the property described as follows:

Budde Realty Corpn - lots 22-23-24 Highland Park Forest Add'n
Sm/and Margaret Caldwell - Lot 25-26 Highland Park Forest Add'n
Phillip L Burd Lot 21 Highland Park Forest Add'n

To erect a 24 X 40 Office Bldg on Lot #23

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Budde Realty Corp'n	3102 River Forest Dr	Budde Realty Corp'n Jeanette Sheehan Secty/Treas
PHILLIP L BURD	1808 KENTUCKY AVE	Phillip L Burd
MARGARET A. CALWELL	3940 FOREST HILL	Margaret Caldwell

Legal Description Checked By: ____________
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
Jeanette Sheehan	3102 River Forest Dr 46805	484-8980

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

June 14, 1977

We, the citizens of Highland Park Forest, are opposed to having our property rezoned for business.

1. Ray Pickens IV 3828 Forest Hill
Mike Carr 3707 Foresthill
Anita Miller 530 Ridgewood
Patricia Brown
Oscar Bristol
Virginia Bristol
Martha Gatton
Margaret Claypool
Paul J Miller 530 Ridgewood
Ann Burkhalter
N. P. Burkhalter
Nona Bonebrake
Lora Martin
Mr + Mrs Robert Scribner
Mr. + Mrs Wm Stucky
Richard M. Fromm Jr.
[illegible]
Loren Robertson 711 Ridgewood
Susan R Eckman Pickens 3828 Foresthill

Sharon Fromm
Julie Carr 3707 Foresthill
David H. Carmichael 3903 Forest Hill
Lloyd C Zell 3907 Forest Hill

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To: Mayor Robert E. Armstrong Date: 8-4-77

From: Charles W. Westerman - City Clerk

Subject: Appearance before Common Council - 8-16-77

COPIES TO:

BILL NO. Z-77-05-08

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-13

Pursuant to the request of the Standing Committee Chairman of Regulations of the Common Council, the presence of Gary F. Baeten - Land Use Administrator is respectfully requested on August 16, 1977, at 7:30 P.M., Room 128, Common Council Conference Room.

Common Council would like more information regarding the recommendation made by the commission on the above ordinance.

Your cooperation will be greatly appreciated.

Carmen Princise

8/4/77

RÉA Number assigned by Bill Salin's office: # 3619 Admn. Appr.

DIGEST SHEET

S- Z-77-05-08

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the following described property to be rezoned: Lots # 21, 22, 23, 24, 25 and 26 in Highland Park Forest Addition.

Generall located onthe southeast corner of Fernwood Avenue and Foresthill Ave. From "R1" to "B1A"'

EFFECT OF PASSAGE Property is presently zoned "R1" - Single Family Residential. Petitioners are requesting a "B1A" District - Limited Business.

EFFECT OF NON-PASSAGE Property would remain "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) Regulation